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OFFICE OF PETITIONS

In re Application of
Terence R. Jones et al.
Application No. 09/704,731
Filed: November 3, 2000
Attorney Docket No. 66782-012

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 22, 2003, to revive the above-identified application.

The petition is Granted.

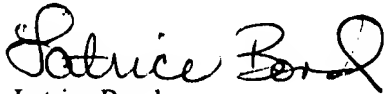
The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed April 22, 2003, which set a period for reply of (1) one month. No extensions of time under the provisions of 37 CFR 1.136 have been obtained. Accordingly, the application became abandoned on May 23, 2003.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$1005 extension of time submitted with the petition on December 22, 2003 was subsequent to the maximum extendable period for reply, this fee will be refunded to petitioner's deposit account.

This application is being revived solely for purposes of continuity. As continuity has been established by this decision, the application is again abandoned in favor of continuing application No. 10/744,927.

The application file is being forwarded to Files Repository.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

A handwritten signature in black ink, appearing to read "Latrice Bond". The signature is fluid and cursive, with the first name "Latrice" written in a larger, more prominent script than the last name "Bond".

Latrice Bond
Paralegal Specialist
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy